

The Weekly Crisis.

PUBLISHED EVERY THURSDAY AT
CHILLICOTHE, MISSOURI.
Terms - - \$1.50 a Year.

W. St. L. & P. R. R. Time Table.

GOING EAST.
No. 4, Mail & Express. 7:15 A. M. 7:30 A. M.
No. 25, Accommodation. 1:50 P. M. 2:00 P. M.

GOING WEST.
No. 5, Mail & Express. 7:15 A. M. 7:30 A. M.
No. 24, Accommodation. 1:50 P. M. 2:00 P. M.

For further information apply to
T. F. HANCOCK,
Ticket Agent.

H. & ST. JOE R. R. Time Table.

GOING EAST.
Atlantic Express. 11:51 A. M.
Kansas City & N. Y. Express. 11:51 A. M.

GOING WEST.
Pacific Express. 4:11 A. M.
New York & Kansas City Express. 4:11 A. M.

For further information apply to
C. H. NASH,
Ticket Agent.

For the convenience of our subscribers residing in Grand River and Fairview townships, and in Northeast Carroll county, we have left at the Times office, Hale City, a memorandum showing how they stand on our books, and have authorized the editors of the Times to receive and receipt for payments on subscriptions.

LOCAL BITS.

Mr. T. M. Cochran, of Bedford, is dangerously ill.

Mr. G. F. Davis, Bedford's lawyer, is in the city today.

Born to the wife of Edward F. Mansfield, May 8th, a boy.

Barrett's circus and menagerie will exhibit at Laclede tomorrow.

Dr. A. H. Chaffee, of Breckenridge, was here, Tuesday, on business.

Bedford item: Born to the wife of Mr. J. H. Baugh, May 2nd, a boy.

Dick Johnson left for Salford, Monday, for a short visit to his brother Ad.

Mr. John J. Smith has sold the Laclede, (Mo.) Laclede to Mr. H. B. Barnes.

Dr. Greene spends the last ten days of every month at his Chillicothe dental office.

Mr. Henry B. Saylor, of Jackson township, made us a pleasant call, last Friday.

Miss Katie Dunn, of St. Louis, is here visiting her relatives and many friends.

The Hale City Times is now the same size and shape of the Chillicothe weeklies.

Last Friday Mr. John Atwood sold his residence property to Pat. Kirby, Esq., for \$1,500.

Mr. E. M. Anderson, of South of Monroeville, honored the Circus sanction with a call Monday.

Dr. W. W. Thornton and wife returned yesterday from a week's visit to friends in St. Louis.

Miss M. P. Buel and children left for Chicago, last night. Mr. Buel has just removed from St. Louis to Chicago.

Mr. W. O. Graham, of Farmersville, was in the city, Saturday. We acknowledge a very pleasant call from him.

We predict that the new Mayor and council will give the city an economical, yet liberal and enterprising administration.

Miss Mary D. Allen of St. Louis, arrived here last Saturday, and will spend the summer with her brother Mr. E. D. Allen.

C. J. Fore Esq., of Cameron, was here, Sunday, the guest of his daughter Mrs. E. D. Wallace. Monday he went over to Evansville.

The G. A. R. Post of this city, has invited, through Capt. W. H. Mansur, the ex-Confederates to participate in the observance of Decoration Day.

Dr. J. K. and J. L. Clark, of Farmersville, were here, Monday, on their way to St. Joseph to attend the meeting of the State Medical Association.

Mr. Jacob Aub, father of Mrs. Daniel Wallbrun of this city, died at his home, in Philadelphia, last Friday. Mrs. Wallbrun was with him at his death.

W. C. Wate, Esq., took his fine team to Kansas City, by rail last week, and sold them for a good round sum—\$100 more, he says, than he could get here.

I have a small lot of well selected piece goods, I still keep samples representing \$10,000 to select from. I will give satisfaction. Call on me.

T. C. HOGAN,
Tailor.

Rev. M. D. Patton and family left last Friday for Osgo, Kansas, where Mr. Patton has been preaching for some time. They will make that place their future home.

Our young friend, Mr. Lawrence Martin, of Rich Hill township, is a natural orator, and Greenbackers will be pleased to know that his soul is enlisted in their cause.

Mr. Charles Holmes and daughter, Miss Clara, departed for Minnesota, Tuesday. Mr. Holmes expects to take a brick contract there. His daughter will spend the summer with friends at Superior.

The City Council at its meeting on May 1st, decided not to build an engine house at present, and accepted a proposition of Young & Irwin to furnish a room to store the same and to take care of same for \$200 per year.

Chas. E. Hasbrook, Esq., of the Kansas City Times, was on Tuesday appointed to the position of Revenue Collector for the Kansas City District. Mr. Hasbrook was once a resident of this city.

Breckenridge Bulletin: Dr. C. G. Leeper returned from the New Orleans Exposition, Tuesday night.

Salvation Oil, the celebrated American remedy, is guaranteed to cure rheumatism, sore throat, swellings, bruises, burns and frost-bites. Price only twenty-five cents a bottle.

Mr. David Smith, one of Livingston county's old timers left last night for Trinidad, Colorado. We understand that he will engage in the cattle business.

The Council at its meeting, Monday night, fixed the salary of Chief Engineer of the Fire Department at \$100 a year, and made it his duty to look after the fire apparatus of the city and to attend all fires.

P. C. Curran, Esq., who has had a severe attack of illness and for some time laid at death's door, is knocking around again. He lit up our sanctum with his pleasant countenance for awhile, Tuesday.

Carrollton Record: Col. L. H. Walters, of Kansas City, was in town Wednesday. He is thinking of removing to Carrollton for a permanent residence. And so the boys get homesick, one after another and come home.

Miss Jessie Boyd has returned, from Boston, where she has been attending the New England Conservatory of Music since last September. She made great progress in voice, harmony and practice on the piano, and received a certificate showing a first-class standing in all her studies.

Monday evening, Mr. and Mrs. J. H. Davis were given a very pleasant surprise by quite a number of their friends calling upon them loaded with well filled baskets and valuable presents. It was the fifteenth anniversary of their marriage.

Mr. Floyd Wigley will sever his connection with the New York Store and leave for Chicago, next Monday, where he has accepted a position at the stock yards. Floyd is one of the very best young men in the city and will take with him the good wishes of our citizens, young and old.

May 8th, Michael Ludwig and Miss Francis Snyder, of the southeast part of this county, were married to marry. On the same day John Hillman and Miss Anna Cottrell called at the Recorder's office, obtained a license and Judge Cogwell then and there tied in his artistic style the Gordian knot.

The infant son of Mr. and Mrs. A. M. Beckery of Gallatin, died in this city, Monday, of croup. Mrs. Beckery was here visiting at Rev. Dockery's. This was their only child and its remains were interred in our cemetery by the graves of its children, who all died at tender ages.

There will be an excursion to St. Louis from points along the H. & S. J. R. R. next Monday. An excursion train will leave Chillicothe at 11:51 A. M. and arriving at Hannibal will take "Gent City" for the balance of the trip. Round trip tickets from this point for sale at the depot at \$9.15. Tickets good until May 23. For rates from other points see advertisement.

Alexander the Great wpt. because there were no more worlds to conquer. Milder's Herb Bitters conquers every form of disease. G. H. Vandikirk, of 204 North Fourth Street, Philadelphia, had suffered long from an aggravated form of dyspepsia. "After using three bottles of your Herb Bitters," he writes I am happy to say that I am entirely cured. I can eat anything with out harm."

The City Council, at its meeting Monday night, made the following persons honorary members of the Fire Company: J. T. Johnston, W. B. Leach, J. L. Buford, J. W. Botts, J. W. Butler, H. Kass, M. Alexander, Frank Platter, Rev. Talbot, W. H. Mansur, G. G. Brown, R. W. Reynolds, J. V. Patterson, J. P. Saylor, W. C. Wood, J. K. Leggett, H. C. Cham, W. E. Crotter, G. W. Bonnett, A. F. Chapman, F. H. Leaver, S. L. Harris, S. S. Hanner, J. B. Osterlander, T. H. Notestine, Louis Herman, B. Barney, J. F. Sherman, A. W. Fowler, C. H. Nasson, R. A. Spears, A. McVey, Peter Young and Daniel Lake.

Dr. D. B. Dorsey, who for sixteen years has been the chief editor of the Chillicothe Tribune, has retired from that position. Judge E. J. Marsh, who has been one of the proprietors of the paper ever since 1860, but whose duties as postmaster prevented him from editorial work, now that he has been relieved of the postmaster's duties, has taken up the quill. Judge Marsh is one of the best read and ablest men in the West, and under his editorial charge the Tribune will retain its high standing. We wish the retiring as well as the new editor, health, happiness and prosperity.

The statement which the retiring Mayor, Mr. A. McVey, Esq., made to the old council, in the presence of the new council, last Tuesday, was a very plain statement of the financial transactions of the city government for the past year, and showed that Mr. McVey kept track of the city business with the vigilance which characterizes him in his private business. The statement appears in another column and will doubtless be read with great interest by our citizens.

Byron Post: Mr. Homer D. Cope, of New York, gave the third of the Somerset course of entertainments in Trenton Temple on Wednesday. He gave from memory, personating every character, the entire drama of "Damon and Pythias," and succeeded in imparting to each role a true idea of its character. He possesses a very flexible voice, which he modulates with ease, and he acts the various characters—the loving wife, the impetuous Damon, the patriotic Pythias, and the tyrannical King—with equal ease and merit.

At City Hall, Chillicothe, Monday night, May 19th.

Carrollton Record: Last Saturday morning, Col. Hale presented the Fire Company with a check for \$50.00 as a testimonial of his appreciation of their services in extinguishing the fire in his elegant building on the west side of the square some months ago. This is an example that might well be followed in other cases. The firemen are always on hand, work to the best of their ability faithfully and fearlessly, and such acts as that of Col. Hale give them encouragement and assure them that their efforts are appreciated by our substantial citizens.

We are in receipt of the May crop report of the Missouri State Board of Agriculture. The wheat prospect May 1st, according to this report, was 57 1-10 per cent. of an average yield per acre; area sown, 87 per cent. of area of last year; amount of wheat, plowed up, 21 per cent. The average condition of wheat in Livingston county is stated as 63. Average of oats sown, 108.

The report contains the following extracts from communications from this county.

Wm. Scruby Jr., Woodling: Poor prospects for wheat. Cold, backward spring. But little corn ground has been plowed.

W. A. Jacobs, Chillicothe: Sheep husbandry is very materially injured by dogs, and the repeal of the dog law is very serious to us.

J. T. Jackson, Chillicothe: I do not think that sheep husbandry is materially injured by dogs. Stock is healthy and generally looking well.

On last Monday, the supreme court of Missouri decided a question which has for time out of mind agitated preceptors and pupils—that is, whether the teacher had any control over a pupil on his way to and from school. The case was appealed from the circuit court of Grundy county, Missouri. S. W. Deakins was plaintiff and Prof. W. D. Goss was defendant. Defendant Goss as teacher of a public school established certain rules and regulations for the government thereof. Among others was one prohibiting profane language, swearing, quarreling and fighting among the pupils either while in school or on going and returning therefrom. Plaintiff was a pupil who had violated this rule while returning home from school for which defendant, classified him, upon which suit for damages was instituted, and in time judgment rendered for \$9, the court refusing instructions to the effect that plaintiff, while in attendance as a pupil, was under the control of the teacher, and that the defendant had a right to punish him for an infraction of the rule put in evidence by the agreed statement of facts, and that the verdict of the jury should be for the defendant, unless the jury believed that the punishment inflicted was unreasonable or excessive. It is the order of the court that is complained of as error, and it is believed that the complaint is well founded. If the effects of the act done out of the school room, while the pupils are returning to their homes and before parental care is resumed, reach within the school room and are detrimental to good order and the best interests of the school, no good reason is perceived why such acts may not be forbidden and punishment inflicted. The judgment is reversed and the cause remanded.

Sweet Potato Plants.

For Sale by J. G. Anderson, second street west of County Office, Chillicothe, Mo., seven improved varieties, both early and late sorts. 39-41.

THE OLD AND THE NEW.

The Old Council Retires and the New is Inaugurated. The City Expenses for the Past Year—The New Officers Appointed.

The old Council met at noon, Tuesday, to inaugurate the mayor and council-elect. Before retiring, Mayor McVey read a statement to the council, showing the receipts and expenditures during the past year as follows:

EXHIBIT OF FINANCES OF THE CITY OF CHILLICOTHE FOR THE YEAR ENDING MAY 12TH, 1885.

To amount received from former collector \$308.68

To amount received from licensees and all other sources except taxes 7631.62

Taxes collected 791.65

Rec'd from county treasurer 820,475.20

By amt for regular salaries \$2066.07

Fees in circuit court in old cases 314.10

Fees in circuit and recorder's court in current year's cases 439.20

Street expenses 118.50

Special police 1332.38

Street material 1619.75

Calabash expenses, feeding prisoners, etc. 114.00

Sundries—including stationery and lights 168.15

Janitor for Hall 95.75

Care of paupers 9.80

Insurance 190.00

Building public well 255.30

Fuel 89.80

Assessment and collection of revenue 901.35

Purchase of real estate 363.50

Printing 79.65

Furniture for hall 112.05

Painting and repairing city hall 419.45

Lighting streets 656.37

Sanitary expenses 100.25

Care small pox cases 344.45

Purchase fire apparatus 1353.67

Opening streets 39.50

Rebuilding and printing ordinances 276.90

Interest on bonds 596.07

Salaries mayor and council 544.00

Bonds paid 5000.00

Unappropriated money in treasury \$18,037.89

Total collection for Board of Education \$2437.31

Amount paid board 6296.15

Fees for collecting 133.15

\$6429.30

proceeding, it carried and the Council stood adjourned.

EVENING SESSION.

The evening session was executive. At its conclusion the following appointments were announced:

City Recorder—Dr. D. B. Dorsey.

City Marshal—H. O. Meek.

City Collector—J. L. Buford.

City Auditor—G. Harker.

City Assessor—Thos. K. Broadhead.

City Attorney—P. J. Dixon.

Policeman—Mike Angel, Jr.

A petition of the merchants of Chillicothe, asking the Council to appropriate \$25 per month to assist in paying J. A. Knott, the merchants' Night Police-man, was presented. The Council decided to appropriate \$20 per month for that purpose.

Council then adjourned until this (Thursday) night, to receive reports of new officers, and for the transaction of other business.

Teachers' Examination.

The annual examination of teachers will be held at the Public School Building at 9 o'clock A. M. Thursday, June 1st, 1885.

In addition to the ordinary branches, applicants for positions must pass an examination in vocal music.

A. McVey,
Secretary Board of Education.

Col Chas H Mansur's Opinion on the School Book Question.

CHILLICOTHE, Mo., May 12, 1885.

DEAR SIR: In reply to your question submitted to me, "Does the repeal of the Text Book law abrogate the several adoptions made in the different counties on January 20th, 1885?" I answer, the law repealing the same, being without an emergency clause, will not go into effect until June 23, 1885, but after that date, all the adoptions made in January last, under the provisions of sections 7087-7088-7089, of the Revised Statutes of Missouri, will stand abrogated, and such adoptions be no longer of any legal force or effect.

In regard to text books it will enable us to see the situation more plainly, if we will lightly review the general school laws of this State in force in the past.

The school law, chapter 113, of revision of 1855, silent upon the question of books, and contents itself with declaring in section 10, page 141:

"The English language and its rudiments shall be taught in all schools organized and kept up under this act."

"The general statutes of 1860, section 2, page 229, provides for the creation of a township board of education, to be composed of each local director in each school district of the township, no shall have been elected clerk thereof, and to the township board of education in section 16, page 251, was given these powers, to-wit:

"The said board shall have power to determine the text books to be used in the school and to purchase the same."

The general schools under their control, subject to the approval of the State Superintendent of public schools."

This remained the law until March 25, 1868, when a law was passed, entirely revising the school law of the State. See page 165, section 1868, which in section 90, repealed section 2 of 1860, of the general statutes of 1860, and provided no substitute therefor, being entirely silent in regard to text books in the schools.

This law again underwent a general revision in 1870, sections 1870, page 132, and by section 22 thereof, again the township board of education are required to select that "a uniform series of text books shall be used in each separate branch, in each school," and this remained the law until 1871, when again the whole school law underwent a general revision. See section notes, 1871, page 117, and in section 42, it is provided as follows: "For the purpose of securing uniformity of text books, a meeting * * * shall be held * * * on first Tuesday in January, 1875, and every five years thereafter, for the selection of text books to be used by the schools * * * and no change shall be made * * * for the period of five years from their adoption." This continued to be the law until the present, and will continue to be until June 23, 1885, when by an act of the last general assembly, approved March 7, 1885, the same was repealed.

It is thus seen for large periods of time since 1855, our general school law has been entirely silent upon the question of text books, just as it was in the revision of 1855, and in that of 1868, and as it will be after June 1885, yet in the past, under the implied powers of the local board of directors we know that each of the school boards, by a rule of their own adoption prescribed what text books should be used in their several boards. And that without a specific grant of such power they still have it, as a part of, or incident appended to, their general authority, to manage and control the schools is beyond all doubt and is firmly established by divers authorities, among them the following, to-wit:

Burdick vs Babcock, 31 Iowa, 562; Gurnsey vs Pilon, 32 Vermont, 221; Forrester vs Taylor, 48 Vermont, 414; Drift vs Snodgrass, 66 Missouri, 296; King vs Jefferson City School Board, 71 Missouri, 629.

The only limitations upon the power, being, that a rule shall be "reasonable and proper," and not in conflict with the law of the land. And Judge Beck in Burdick vs Babcock, supra:

"Any rule of the school, not substantive of the rights of the children, or parents, or in conflict with humanity, and the precepts of divine law, which tends to advance the object of the law in establishing public schools, must be considered reasonable and proper."

And surely, no can deny, that a rule which prescribes what text books shall be used in a school, comes within the terms of Judge Beck's definition.

And the Supreme Court of Missouri in the cases above cited fully uphold this doctrine.

It cannot, then, be said, that the repeal of the law of 1874 leaves no authority anywhere to prescribe text books for use in a public school. On the contrary, this power is inherent in and a part of the organization and control of every school, and as we know, was exercised fully and freely under the laws of 1855 and 1868, and will be in the future. The act of 1874, whereby text books were prescribed for all the schools in a county, only had for its object and end uniformity among all the schools in the county, and still left the judgment of each school, and its power in this regard, to be vested by its own directors in the county convalesce.

You also wish to know if in any way, any party or person can hold any school director or directors, or board of education responsible in damages who shall refuse to obey the law of 1874 for the next five years in those counties that adopted a series of books for use in January last (Livingston county being one). I answer emphatically, no. The law of 1874 was a rule of conduct imposed by a superior upon its inferior; it was a command, and so held in State vs School Directors of Springfield, 71 Mo. 21. It savors in its degree of a contract. An essential element of a contract is a valuable consideration; without this, the courts will not enforce it. It is a "quid pro quo," and binds no one. Who can point to a consideration, connected with the adoption of text books in the several counties last January? If there was any, where did it emanate from? By whom paid? To whom paid? Who can sue and recover damages until these questions be first answered? No, the law looked to no person or corporation for text books. Under it so far as the State and the public schools are concerned, competition was open to the whole world, to bring text books into Missouri, and land their merits and thus induce the schools of a county to select them for use; but in this there is no element of contract. Neither the State, nor the board of directors, nor the teacher, furnish the books to the pupils, but it is the parents; the very language of the law indicates its object, namely, "for the purpose of securing uniformity," not to obtain cheap books, not to give authority to anyone to contract for text books for use in schools, but to secure uniformity; the command was laid by the sovereign power of the State upon its servants, to-wit: "The school directors to assemble at a certain time and place in each county, there to say in a certain way, what text books are the best; this fact being determined, then the command goes farther and ordains that in all the schools in your said county, 'you shall use these books, and make no change therein for five years.'" Now, however, the superior changes its mind; it repeals this law and takes off its command. This leaves the inferior free, as before the command was made, and the local directors of each public school in Missouri can now on, until such time as the Legislature shall determine otherwise, select such text books for use in their own school as in their judgment may be the best.

Respectfully,
C. H. MANSUR.

Wheeling Items.

WHEELING, May 12, 1885.

EDITH CROSBY, Spring has at last emerged our fields with healthy green, and clothed the trees and shrubs with foliage and blossoms. To-morrow and hereafter, seems to be the prevailing spirit, not only in nature but the people take a new interest in improving and beautifying their homes. A number of the citizens here have newly painted their houses, fences, &c., which adds greatly to the appearance of our little town.

A subscription for a church bell is being circulated and the prospect now is that we shall at last succeed in securing the much needed bell.

Rev. Engard will preach a memorial sermon at the church here on the fourth Sunday.

The G. A. R. will have their camp-meeting, Saturday, the 23d.

The weather permitting they will have their camp-meeting on the public square, and the supper, consisting of pork and beans, hard tack, &c., served up in old army style. A good time is anticipated.

Mr. Winter's of this township, has been having a severe time with his hay crop, and has lost a considerable amount of his best hay.

Edgerton's little daughter, Ethel, was quite sick last week.

Mrs. Ed. McLain is down with chills and fever.

Mrs. Millie Foreman thinks she is improving, but is still a great sufferer, having been confined to her bed for months.

Mr. Reed is out on the street again and looks badly.

Prof. Hastings went down to Palmyra last week on a visit to his brother.

Harrison Bird went to Hannibal, Saturday, on business, or to tell the folks there that there is a fine new boy at his house—I don't know which.

Mrs. Carter, of Clay county, is visiting at Mr. Richard Arnold's.

Mrs. Rollo returned home Sunday after spending a couple of weeks with friends here.

Jas. Robinson and Miss Annie Hastings went down to Laclede, Sunday, to visit Mr. Gould's family. Jim also went over to Linnopolis. Ahem!

Dr. Magoon is going to move his family back to Clarence. They intend to leave next week. Although they have been among us but a few months they have made many friends here and their departure will be much regretted and many good wishes for their success will follow them.

The "Band Boys" have re-organized, rented a hall and meet for practice twice a week.

Fred Baker, of South Wheeling, is in Saginaw, Mich.

The Wheeling Schools closed last month for lack of funds, which is much regretted. The "kids" will have a long time to run loose.

The Presbyterians will have services at the church next Sunday.

ARCANIUM.

Birthday Anniversary of Mrs. Oldaker.

CHERRY RIDGE, May 11, 1885.

DEAR CHIEFS:—Thinking perhaps some at least of your many readers would be glad to hear of us again, concluded to give you a line telling you the pleasant day that we spent celebrating Mrs. Oldaker's 70th birthday.

This morning at an early hour friends began to arrive at her residence with well filled baskets of luscious viands, to refresh the inner man, and substantial testimonial of their friendship in the shape of presents for the old couple. It was a complete surprise to the old

was exercised fully and freely under the laws of 1855 and 1868, and will be in the future. The act of 1874, whereby text books were prescribed for all the schools in a county, only had for its object and end uniformity among all the schools in the county, and still left the judgment of each school, and its power in this regard, to be vested by its own directors in the county convalesce.

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